

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

IN RE:

**MILLENNIUM MULTIPLE EMPLOYER
WELFARE BENEFIT PLAN,**

DEBTOR.

CASE NO. 10-13528

(CHAPTER 11 - PENDING IN THE
UNITED STATES BANKRUPTCY
COURT FOR THE WESTERN
DISTRICT OF OKLAHOMA)

**GARY A. PASSONS, M.D., GARY A.
PASSONS, M.D., P.C., ANANT V. SHAH,
ANANT V. SHAH, M.D., P.C., PAUL A.
HATCHER, M.D., UROLOGY AND
UROLOGICAL SURGERY, P.C. f/k/a
PAUL A. HATCHER, M.D., P.C.,
RODERICK GIVENS, SOUTHERN
HEALTHCARE PROVIDERS, P.A.,
AARON WILLIAMS, DWIGHT E.
HARDING, D.D.S., CHARLOTTE
HARDING, DWIGHT E. HARDING,
D.D.S., P.A., WILLIAM M. LOCANTE,
D.D.S., WILLIAM M. LOCANTE, D.D.S.,
P.C., WILLIAM E. WOLF, D.D.S.,
WILLIAM E. WOLF, DDS, PC, WOLF
MANAGEMENT, INC., MICHELLE G.
JOHNSON, D.D.S., M.S., MICHELLE G.
JOHNSON, D.D.S., M.S., P.C., FRANKLIN
W. CLARK, D.D.S., FRANKLIN W.
CLARK, D.D.S., P.C., DAVID M.
TURNER, M.D., AND DAVID M.
TURNER, M.D., P.C., CHRIS GETMAN,
GETMAN ORTHODONICS, P.C.,**

Plaintiffs,

v.

**AVIVA LIFE AND ANNUITY COMPANY,
f/k/a INDIANAPOLIS LIFE INSURANCE
COMPANY, AMERICAN GENERAL**

CIVIL ACTION NO. 3:10-cv-00575

JUDGE TODD J. CAMPBELL

MAGISTRATE JUDGE JOHN S.
BRYANT

--[caption continues on next page]--

LIFE INSURANCE COMPANY, DAVID CLINE, INC., DAVID H. CLINE, INC., DAVID CLINE, SIDNEY GOLDSTEIN, MORRIS GOLDSTEIN, GOLDSTEIN AND ASSOCIATED, P.C., THE MILLENNIUM MULTIPLE EMPLOYER WELFARE BENEFIT PLAN, SCOTT RIDGE, RIDGE INSURANCE, INC., SECUREPLAN ADMINISTRATORS, LLC, and REPUBLICBANK & TRUST, MICHAEL E. LLOYD, WILLIAM COULSON JOHNSON LLOYD PARKER & TEDESCO, L.L.C.,

Defendants.

AGREED ORDER

Based upon the agreement of the parties, as indicated by their signatures below, the Case Management Conference set for September 13, 2010 is rescheduled to October 22, 2010, at 10:00 a.m.

IT IS SO ORDERED this 13th day of September, 2010.

s/ John S. Bryant

United States Magistrate Judge

SUBMITTED FOR ENTRY:

LIEFF, CABRASER, HEIMANN & BERNSTEIN, LLP

By: /s/ Kathryn E. Barnett
Kathryn E. Barnett (TN State Bar No. 15361)

150 Fourth Avenue North, Suite 1650
Nashville, TN 37219-2417
Telephone: (615) 313-9000
kbarnett@lchb.com

Anne Shaver (admitted *pro hac vice*)
LIEFF, CABRASER, HEIMANN & BERNSTEIN, LLP
275 Battery St., 29th Floor
San Francisco, California 94114
Telephone: (415) 956-1000
ashaver@lchb.com

JOHN L. MALESOVAS
State Bar No. 12857300
MALESOVAS LAW FIRM
816 Congress, Suite 1265
Austin, Texas 78701
Telephone: (512) 708-1777
john@malesovas.com

ANTHONY L. VITULLO
State Bar No. 20595500
LAURA RICHARDS SHERRY
State Bar No. 24056203
FEE, SMITH, SHARP & VITULLO, L.L.P.
Three Galleria Tower
13155 Noel Road, Suite 1000
Dallas, Texas 75240
Telephone: (972) 934-9100
lvitullo@feesmith.com
lsherry@feesmith.com

Attorneys for Plaintiffs

/s/ Alexandra Coulter Cross with permission by Kathryn Barnett

Craig Gabbert, Jr.
Alexandra Coulter Cross
HARWELL HOWARD HYNE GABBERT & MANNER
315 Deadrick Street, Suite 1800
Nashville, TN 37238
Phone (615) 726-7337
cvg@h3gm.com
acc@hrgm.com

J. Michael Vaughan
David M. Skeens
WALTERS BENDER STROHBEHN VAUGHAN PC
1100 Main Street, Suite 2500
P. O. Box 26188
Kansas City, MO 64105/64196
Phone (816) 421-6620
mvaughan@wbsvlaw.com
dskeens@wbsvlaw.com

Attorneys for Aviva Life and Annuity Company

John S. Hicks
BAKER, DONELSON, BEARMAN CALDWELL & BERKOWITZ, PC
211 Commerce Street, Suite 1000
Nashville, TN 37201
Phone (615) 726-7337
jhicks@bakerdonelson.com

Stephen C. Jackson
David P. Donahue
Ollie A. "Tres" Cleveland
MAYNARD COOPER & GALE, PC
Regions/Harbert Plaza, Suite 2400
1901 Sixth Avenue, North
Birmingham, AL 35203
Phone (205) 254-1000
sjackson@maynardcooper.com
ddonahue@maynardcooper.com
tcleveland@maynardcooper.com

Attorneys for American General Life Insurance Company

/s/ J. Justin Johnston with permission by Kathryn Barnett

James R. Wyrsh

J. Justin Johnston

WYRSCH HOBBS & MIRAKIAN, PC

1000 Walnut, Suite 1600

Kansas City, MO 64106

Phone (816) 221-0080

Email: jimwyrsh@whmlaw.net

Email: jjohnston@whmlaw.net

Kevin C. Baltz

MILLER & MARTIN, PLLC

One Nashville Place, Suite 1200

150 Fourth Avenue, North

Nashville, TN 37219

Phone (615) 244-9270

kbaltz@millermartin.com

Travis R. McDonough

MILLER & MARTIN, PLLC

Suite 1000 Volunteer Building

832 Georgia Avenue

Chattanooga, TN 37402

Phone (423) 756-6600

tmcdonough@millermartin.com

**Attorneys for David Cline, Inc., David H. Cline, Inc.
and David Cline**

/s/ Jonathan L. Bobbitt with permission by Kathryn Barnett

J. Brandon McWherter
Jonathan L. Bobbitt
GILBERT RUSSELL and McWHERTER PLC
101 N. Highland Street
Jackson, TN 38301
Phone (731) 664-1340
bmcwherter@gilbertfirm.com
jbobbitt@gilbertfirm.com

Edward A. (Ted) Scallet
Lars C. Golumbic
GROOM LAW GROUP
1701 Pennsylvania Ave., N.W., Suite 1200
Washington, D.C. 20006
Phone (202) 857-0620
eas@groom.com
lcg@groom.com

Attorneys for Millennium Multiple Employer Welfare Benefit Plan

/s/ Rebecca B. Howald with permission by Kathryn Barnett

Rebecca B. Howald
MANIER & HEROD, PC
150 Fourth Ave., North, Suite 2200
Nashville, TN 37219
Direct (615) 742-9230
Phone (615) 244-0030
rhowald@manierherod.com

D. Craig Brinker
LaToyia Watkins-Pierce
HENSLEE SCHWARTZ LLP
6688 N. Central Expressway, Suite 850
Dallas, TX 75206
Phone (214) 219-8833
cbrinker@hensleeschwartz.com
lpierce@hensleeschwartz.com

Attorneys for Scott Ridge and Ridge Insurance, Inc.

/s/ Dale H. Tuttle with permission by Kathryn Barnett

Dale H. Tuttle

Robert Cox

James F. Horner, Jr.

GLASSMAN EDWARDS WADE & WYATT PC

26 N. Second Street

Memphis, TN 38103

Phone (901) 527-4673

dtuttle@gewwlaw.com

rcox@gewwlaw.com

jhorner@gewwlaw.com

Fred A. Leibrock

Jennifer Miller Ventura

Juston R. Givens

PHILLIPS MURRAH, PC

Corporate Tower, 13th Floor

101 North Robinson Street

Oklahoma City, OK 73102

Phone: 405-235-4100

faleibrock@phillipsmurrah.com

jmventura@phillipsmurrah.com

jrgivens@phillipsmurrah.com

**Attorneys for SecurePlan Administrators, LLC and
Republic Bank & Trust**

/s/ Barry L. Howard with permission by Kathryn Barnett

Barry L. Howard

HOWARD TATE SOWELL WILSON

LEATHERS & JOHNSON PLLC

150 Second Avenue, North, Suite 201

Nashville, TN 37201

Phone: (615) 256-1125

bhoward@howardtatelaw.com

**Attorneys for Michael E. Lloyd and
Williams Coulson Johnson Lloyd Parker & Tedesco, LLC**

/s/ Robert Moore with permission by Kathryn Barnett

Robert Moore
Heaton & Moore, P.C.
100 N. Main Bldg
Suite 3400
Memphis, TN 38103
Phone (901) 526-5975
rmoore@heatonandmoore.com

**Attorneys for Sidney Goldstein, Morris Goldstein,
and Goldstein Associates**

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Agreed Order was filed electronically via CM/EMF, with notice of same being electronically served by the Court, addressed to the following:

Alexandra Coulter Cross
Harwell, Howard, Hyne, Gabbert & Manner
315 Deaderick Street
1800 First American Center
Nashville, TN 37238
(615) 256-0500
Email: acc@h3gm.com

Craig Vernon Gabbert, Jr.
Harwell, Howard, Hyne, Gabbert & Manner, P.C.
315 Deaderick Street
Suite 1800
Nashville, TN 37238
(615) 256-0500
Email: cvg@h3gm.com

David Skeens

Walters, Bender, Strohbehn & Vaughn, P.C.
2500 City Center Square
1100 Main Street
Kansas City, MO 64105
(816) 421-6620
Fax: (816) 421-4747
Email: dskeens@wbsvlaw.com

J. Michael Vaughn

Walters, Bender, Strohbehn & Vaughn, P.C.
2500 City Center Square
1100 Main Street
Kansas City, MO 64105
(816) 421-6620
Fax: (816) 421-4747
Email: mvaughan@wbsvlaw.com

David P. Donahue

Maynard, Cooper & Gale, P.C.
1901 6th Avenue North
2400 Regions Harbert Plaza
Birmingham, AL 35203
(205) 254-1000
Email: ddonahue@maynardcooper.com

John S. Hicks

Baker, Donelson, Bearman, Caldwell & Berkowitz, PC-Nashville
Commerce Center
211 Commerce Street
Suite 800
Nashville, TN 37201
(615) 726-5600
Email: jhicks@bakerdonelson.com

Ollie A. Cleveland

Maynard, Cooper & Gale, P.C.
1901 6th Avenue North
2400 Regions Harbert Plaza
Birmingham, AL 35203
(205) 254-1183
Fax: (205) 254-1999
Email: tcleveland@maynardcooper.com
PRO HAC VICE

Stephen C. Jackson

Maynard, Cooper & Gale, P.C.
1901 6th Avenue North
2400 Regions Harbert Plaza
Birmingham, AL 35203
(205) 254-1037
Fax: (205) 254-1999
Email: sjackson@maynardcooper.com
PRO HAC VICE

Kevin C. Baltz

Miller & Martin PLLC
150 Fourth Avenue North
Suite 1200
Nashville, TN 37219-2433
(615) 244-9270
Fax: (615) 744-8619
Email: kbaltz@millermartin.com

Travis R. McDonough

Miller & Martin PLLC
Volunteer Building
832 Georgia Avenue
Suite 1000
Chattanooga, TN 37402
(423) 756-6600
Fax: (423) 785-8480
Email: tmcdonough@millermartin.com

J. Justin Johnston

Wyrsh Hobbs & Mirakian, P.C.
1000 Walnut
Suite 1600
Kansas City, MO 64106
(816) 221-0080
Fax: (816) 221-3280
Email: jjohnston@whmlaw.net

James R. Wyrsh

Wyrsh Hobbs & Mirakian, P.C.
1000 Walnut
Suite 1600
Kansas City, MO 64106
(816) 221-0080
Fax: (816) 221-3280
Email: jimwyrsh@whmlaw.net

Edward A. Scallet

Groom Law Group, Chartered
1701 Pennsylvania Avenue, NW
Suite 1200
Washington, DC 20006
(202) 857-0620
Fax: (202) 659-4503
Email: eas@groom.com

Hisham Amin

Groom Law Group, Chartered
1701 Pennsylvania Avenue, NW
Suite 1200
Washington, DC 20006
(202) 861-6646
Email: hamin@groom.com

J. Brandon McWherter

Gilbert Russell McWherter PLC
101 North Highland
Jackson, TN 38301
(731) 664-1340
Email: bmcwherter@gilbertfirm.com

Jonathan L. Bobbitt

Gilbert Russell McWherter PLC
101 North Highland
Jackson, TN 38301
(731) 664-1340
Fax: (731) 664-1540
Email: jbobbitt@gilbertfirm.com

Lars C. Golumbic

Groom Law Group, Chartered
1701 Pennsylvania Avenue, NW
Suite 1200
Washington, DC 20006
(202) 857-0620
Fax: (202) 659-4503
Email: lcg@groom.com

D. Craig Brinker

Henslee Schwartz LLP
6688 N Central Expressway
Suite 850
Dallas, TX 75206
(214) 219-8833
Fax: (214) 219-8866
Email: cbrinker@hensleeschwartz.com

Latoyia K. Pierce

Henslee Schwartz LLP
6688 N Central Expressway
Suite 850
Dallas, TX 75206
(214) 219-8833
Fax: (214) 219-8866
Email: lpierce@hensleeschwartz.com

Rebecca B. Howald

Manier & Herod
150 Fourth Avenue, N
2200 First Union Tower
Nashville, TN 37219-2494
(615) 244-0030
Fax: (615) 242-4203
Email: rhowald@manierherod.com

Dale Tuttle

Glassman, Edwards, Wade & Wyatt, P.C.
26 N Second Street
Memphis, TN 38103
(901) 527-4673
Fax: (901) 521-0940
Email: dtuttle@gewwlaw.com

Fred A. Leibrock

Phillips Murrah P.C.
Corporate Tower, 13th Floor
101 N Richardson Street
Oklahoma City, OK 73102
(405) 235-4100
Fax: (405) 235-4133
Email: faleibrock@phillipsmurrah.com

James F. Horner , Jr.

Glassman, Edwards, Wade & Wyatt, P.C.

26 N Second Street
Memphis, TN 38103
(901) 527-4673
Fax: (901) 521-0940
Email: jhorner@gewwlaw.com

Jennifer M. Ventura
Phillips Murrah P.C.
Corporate Tower, 13th Floor
101 N Richardson Street
Oklahoma City, OK 73102
(405) 235-4100
Fax: (405) 235-4133
Email: jmventura@phillipsmurrah.com

Juston R. Givens
Phillips Murrah P.C.
Corporate Tower, 13th Floor
101 N Richardson Street
Oklahoma City, OK 73102
(405) 235-4100
Fax: (405) 235-4133
Email: jrgivens@phillipsmurrah.com

Robert A. Cox
Glassman, Edwards, Wade & Wyatt, P.C.
26 N Second Street
Memphis, TN 38103
(901) 527-4673
Fax: (901) 527-5320
Email: rcox@gewwlaw.com

Barry Lane Howard
Howard, Tate, Sowell, Wilson & Boyte
150 Second Avenue, N
Suite 201
Nashville, TN 37201
(615) 256-1125
Email: bhoward@howardtatelaw.com

Robert L. Moore

Heaton & Moore, P.C.

100 N Main Building

Suite 3400

Memphis, TN 38103

(901) 526-5975

Fax: (901) 527-3633

Email: rmoore@heatonandmoore.com

This 10th day of September, 2010.

/s/ Kathryn E. Barnett

Kathryn E. Barnett